

Policy Evidence Report

Policy 10: Secondary and Recycled Materials

**Hertfordshire Minerals and Waste
Local Plan 2040**

Hertfordshire County Council



For information about this document please contact:

Minerals and Waste Planning Policy
Spatial Planning Unit
Hertfordshire County Council
Tel: +(44) 01992 556227
Email: MineralsandWaste@hertfordshire.gov.uk
hertfordshire.gov.uk/mwlp

Spatial Planning Unit CHN216
Hertfordshire County Council
County Hall
Hertford
SG13 8DN

If you require assistance interpreting or translating this document, please contact 0300 123 4040.

1. Introduction

1.1. Hertfordshire County Council is reviewing its adopted Minerals Local Plan, Waste Local Plan and supporting documents. These comprise the following documents (with adoption date):

- Minerals Local Plan Review (March 2007)
- Minerals Consultation Areas SPD (November 2007)
- Waste Core Strategy and Development Management Policies DPD (November 2012)
- Waste Site Allocations DPD (July 2014)
- Employment Land Areas of Search SPD (November 2015)

1.2. The documents listed above are to be replaced by a single Minerals and Waste Local Plan (MWLP) covering the period to 2040. The new MWLP sets the overall spatial framework and development management policies for sustainable minerals and waste management development in Hertfordshire.

1.3. This Policy Evidence Report provides a context and justification for the creation of Policy 10: Secondary and Recycled Materials in the emerging Minerals and Waste Local Plan. It also contains a reasoning for the changes made to the policy between the Draft Plan publication and the Proposed Submission Plan publication.

2. National Policy Context

2.1. The National Planning Policy Framework (NPPF 2023) and National Planning Practice Guidance (PPG) provide the basis of national planning policy.

2.2. The following points within the NPPF relate to Policy 10:

- Paragraph 216 states that planning policies should '*so far as practicable, take account of the contribution that substitute or secondary and recycled materials and minerals waste would make to the supply of materials, before considering extraction of primary materials, whilst aiming to source minerals supplies indigenously...*' and should '*...safeguard existing, planned and potential sites for: the bulk transport, handling and processing of minerals; the manufacture of concrete and concrete products; and the handling, processing and distribution of substitute, recycled and secondary aggregate material*'.
- Paragraph 216 also explains that policies should '*set out criteria or requirements to ensure that permitted and proposed operations do not have unacceptable adverse impacts on the natural and historic environment or human health, taking into account the cumulative effects of multiple impacts from individual sites and/or a number of sites in a locality*'.

2.3. The PPG section on Minerals states:

- *Planning authorities should safeguard existing, planned and potential storage, handling and transport sites to:*
 - *ensure that sites for these purposes are available should they be needed; and*
 - *prevent sensitive or inappropriate development that would conflict with the use of sites identified for these purposes.*
- *Planning authorities should consider the possibility of combining safeguarded sites for storage, handling and transport of minerals with those for processing and distribution of recycled and secondary aggregate. This will require close co-operation between planning authorities.*

Paragraph: 006 Reference ID: 27-006-20140306

2.4. The Waste Management Plan for England 2013 states that '*inert waste can and should be recovered or recycled whenever possible. However, the disposal of inert waste in or on land i.e. landfill, remains a valid way of restoring quarries and worn out mineral workings where this is a planning requirement.*'

3. Local Context

3.1. The growth promoted by Hertfordshire's Borough and District Local Plans means that there are significant arisings of Construction, Demolition and Excavation (CD&E) waste in the county. Due to Hertfordshire's location directly to the north of London, CD&E wastes are also imported from this region. A significant proportion of CD&E wastes can be used in the restoration of mineral workings.

3.2. In addition to this, Hertfordshire County Council promotes the efficient use of resources, including the re-use of inert waste, as an alternative to primary materials in construction projects via the implementation of Site Waste Management Plans. The county has a several facilities that can recycle inert waste to produce construction products.

4. Minerals & Waste Local Plan Policy

4.1. The Draft Minerals and Waste Local Plan was published for a Regulation 18 public consultation from 22 July to 31 October 2022. During the consultation period, members of the public, industry and other bodies were invited to comment on the policies within the Plan. This report shows the draft policy as published within the Draft Plan document, along with the main issues raised and the council's response to them.

Minerals and Waste Local Plan Draft Plan 2022

4.2. The Regulation 18 Draft Plan document included Policy 10: Secondary and Recycled Materials. The policy read as follows:

Policy 10: Secondary and Recycled Materials

The county council will support the increased use of secondary and recycled materials in order to reduce reliance on land-won aggregates and maximise the amount of inert waste diverted from landfill.

Inert wastes arising from construction, demolition and excavation activities that cannot be re-used or recycled on-site should, as a first priority, be directed to the restoration of mineral workings (in accordance with an approved restoration scheme), to engineering works, or to derelict land requiring fill as part of re-restoration to a beneficial after-use (in accordance with an approved scheme).

Proposals for the use of inert waste must identify the source of the waste and as a minimum, proposals must clearly demonstrate that they:

- a) will not undermine the availability of such waste for use in mineral restoration schemes; and
- b) will use the appropriate amount of material necessary.

The county council will support the expansion of existing and the provision of new facilities to increase the capacity for processing, distribution and where necessary the re-processing of aggregates (including concrete batching). Such proposals must demonstrate that:

- c) the siting, scale and design of the development is appropriate to the location and the character of the surrounding natural and built environment;
- d) any landscaping and screening of the site is designed to effectively mitigate the visual impact of the proposal;
- e) the proposed development would not adversely impact upon the natural, built or historic environments, amenity or human health;
- f) the transportation of aggregates will not have a significant adverse impact on highways safety and the effective operation of the highway network; and
- g) there would not be an unacceptable adverse cumulative impact on the local area.

In addition to the above, proposals for temporary recycling facilities within an existing quarry must demonstrate that:

- h) the size and throughput of the recycled and secondary aggregate operation is of an appropriate scale to existing operations; and

the nature and duration of the development does not prejudice or unduly delay the restoration of the site.

4.3. During the Regulation 18 consultation, 15 representations were made in relation to this policy. The main issues of these are summarised below:

- a) It is considered that the commitment to support the increased use of secondary and recycled materials and maximise the amount of inert waste diverted from landfill should be strengthened and clarified to maximise the use of recycled materials.
- b) It is proposed, to ensure synergy with the minerals sector, a further criterion could be added (after criterion g): **'h) opportunities to co locate aggregates recycling facilities on or in proximity to existing minerals infrastructure sites (i.e. RMX, Asphalt plant and Railheads) should be sought where possible'**.
- c) It is suggested that Policy 10 should state a 28% target of recycled materials to support sustainability objectives of the Council and allow for recycled materials to aid in meeting demand.
- d) It is considered that the policy needs to include specific sites and target tonnages for facilities that will re-process aggregates.
- e) It is advised that Policy 10 should include a clear table setting out how much secondary and recycled material Hertfordshire will use.

4.4. The council's response to the main issues is as follows:

- a) The comments have been noted.
- b) The last part of the policy specifically covers the co-location of such facilities and provides additional policy criteria for consideration.
- c) The policy aims to encourage the use of secondary and recycled materials over land-won materials. The policy cannot set specific targets as individual development proposals may have particular materials specifications, some of which cannot be met by recycled materials.
- d) The Plan does not allocate specific sites for inert recycling as there is no shortfall in capacity over the plan period for this waste stream.
- e) It is not possible to set targets on the amount of secondary and recycled materials Hertfordshire will use over the plan period, only to encourage their use over land-won materials.

5. Alternative Reasonable Options

5.1. The following reasonable alternative options have been considered (and fully assessed in the Sustainability Appraisal Report):

- Option 1 – A policy which supports the increased use of secondary and recycled materials and supports the expansion of existing and the provision of new

facilities to increase capacity for the processing and distribution of these materials (preferred)

- Option 2- A similar policy to Option 1 but which would also identify specific allocated sites for the provision of facilities to process and distribute secondary and recycled aggregates
- Option 3 – A policy similar to Option 1 but which doesn't prioritise the use of recycled inert material for specific uses

6. Conclusion

- 6.1. This Policy Evidence Report demonstrates the justification for the inclusion of this policy in the emerging Minerals and Waste Local Plan Proposed Submission Plan. It summarises the national policy context and local context, along with the main issues raised through previous consultation and how the council has addressed those issues.
- 6.2. Any representations received on this policy at the Regulation 19 consultation stage will be submitted alongside the Local Plan to the Secretary of State as part of the examination process.
- 6.3. This Policy Evidence Report was written to support the Proposed Submission Plan (Regulation 19) consultation. This report forms part of the Regulation 22 statement, as set out by the Town and Country Planning (Local Planning) (England) Regulations 2012.